G R S 58]

*Previous references*

**File No.** 50-16

**1916.**

( Municipal

**Serial Nos** 5, 8, 10 & 11,

*Later references*

Present
24
22(-1)13/

# GENERAL AND REVENUE SECRETARIAT

*Serial Nos.* 5, 8, 10 & 14

**Part B for** February 1916

SUBJECT

Draft rules re delegation of powers to the President, Vice Presdt and the managing Committee, framed by the Shenoja town municipal Council under sec 46(a) 4(6)(1) of the bel Reg Ln

To the Deputy Commr Shenoja Dt
No 6349 dt 28 2 16

Approves with Right additions and alterations the Draft rules framed by the Shenoja Municipal Council under sec 46(a) 4(6)(1) of the Municipal Regulation re delegation of powers to the Pres Vice Presdt. and the managing Committees

W D 1851—G P B—30,000—18-12-15

Present
25/2/16

GRS 11] 1915

GENERAL AND REVENUE SECRETARIAT.

( AC )

NOTES

File No 50

FILE HEADING

Rules & Bye laws framed by the Municipalities in the Shimoga District under Municipal Regulation

From

The Deputy Com^r, Shimoga

No 69 Dated 2 10 15 Received 5 10 15

| Diary No 1393 | Enclos 2 | Spare Copies | Serial No 5 |
|---|---|---|---|

BRIEF ABSTRACT OF LETTER

Forwards for approval a set of draft Rules re delegation of powers to the President, Vice President & the managing Committee framed by the Shimoga Town Municipal Council under sec 46(4) & (6)(1) of the Mul. Reg^n VII of 1906

NOTES AND ORDERS

Certain additions, alterations, &c have been noted in pencil on the draft rules. They will be settled after final approval

As regards the proposal for the delegation of powers to the President - a separate list prepared

NOTES—First Sheet.

GPB—85 000—15 6 12

G R S 12]

General and Revenue Secretariat | MC File No 50 of 1915

Serial No

X

in this office is also submitted for approval

MC. 32
2/11/15

Rec'd back 2/11/15 MC

Y

3 A printed Copy of the Rule, relating to the managing Committee of the Bangalore city is enclosed.

4 The main differences noted in the present draft rule as compared with those of the Bangalore city relating to the managing Committee are also noted separately & submitted herewith

Z

MC 32
12/11/15

5 The proposed rules closely follow the rules in force in the Cities of Bangalore and Mysore. In the Mysore City, powers under Sections 92 to 98 are exercised by the President under the proposed rules for the Shimoga Municipality these are intended to be exercised by the probably by the Municipal Council. The rule does not specify these definitely though they are included in the detailed list of powers which should not be exercised by the Managing Committee. If approved, these and a few other discrepancies noted in pencil on the original Copy of rules will

NOTE—Contn sheet.

GPB—20,000—30-6-15

| Serial No | |
|---|---|
| | will be printed sent to the Dy. Comr & additional information called for from 17.11.15 6 Vr Dagan Please prepare draft |
| | HS 24/12 EB 24/12 |
| | 2 drafts submitted accordingly. 8. Though the corresponding rules of the two city municipalities mainly agree with each other the rules now proposed are merely the ones adopted for the purpose of which with the omission of 3 & with slight changes here & there. |
| W | Vol 32 9 A copy of the Rule for M city 9/12/15 mfg refd to is also submitted. 10/12/15 C. Isone EB, 10/12 |
| 8 | 11 Dr The Deputy Comr no 4343 G 15 12. 15 Returns the draft Rules with certain observations and requests to furnish further information in connection with the powers proposed to be included in the municipal Commrs under sec 92 98 |
| 19 | 12 From the Land Revn no. 122 G 19 1 16 Forwards the fort the informn. |

NOTE—Contn sheet

GPB—20 000—30 6-15

G. & R. S 12]

General and Revenue Secretariat

File No. 50 of 1915

| Serial No | |
|---|---|
| | Called for |
| | 13 draft Sanctioning with slight modifications as noted above in the draft is put up for approval |
| | Kp 31 8.2.16 — Bry accepted them 9/2/16 |
| | Draft approved by Secondmember 18/2/16 |
| 14 | In D.C Shimoga No 6349 of 28.2.16 appears with slight additions & alterations the draft rules received with 5 |
| | From the same office No 231 of 4.12.16 sets a copy printed Copy of the rules as called for |
| | one copy of the rules with the present Communication may be stitched into the Collection & the remainder destroyed as usual. |
| | Kp (31) 9/12/16 |

NOTE—Contn sheet

D 1273

No. 69

Office of the Deputy Commissioner,
Shimoga District.
Dated Shimoga the 2nd October 1915.

From

K.Matthan, Esquire., B.A.,
Deputy Commissioner,
Shimoga District.

To

V.R. Thyagaraja Iyer, Esquire., M.A.,
Secretary to the Government of Mysore,
Revenue Department, B a n g a l o r e .

Sir,

I have the honour to forward herewith for favour of obtaining sanction of Government draft rules re delegation of powers to the President, Vice President and the Managing Committee under Section 46 (a) & (b)(1) of the Mysore Municipal Regulation No. VII of 1906 passed by the Shimoga Town Municipal Council at their adjourned meeting held on 4th September 1915.

A copy of the Boards resolution in the matter is herewith submitted.

I have the honour to be,
Sir,
Your most obedient servant,

K Matthan

Deputy Commissioner,
Shimoga District.

S.M.R.

IV

4/1c 1915-16.

From

The Deputy Commissioner,
Shimoga District.

To

The Secretary to the Govt of
Mysore, Revenue Department,

Dated 2nd Bangalore.

Despatched October 1915.

Received

General No 1-7
No

Enclosure No Three

Submits herewith draft rules re delegation of powers to the Presiden , Vice President and the Managing Committee under section 46(a) & (b)( of the Mysore Municipal Regulat No. VII of 1906 for Government sanction.

GPB—75 rooms—25-8-10

Encl to Let 5045-

Subject 102

Consideration of Powers to be delegated to the President the Vice President and the Managing Committee

Resolved that the rules as amended by the Council be adopted with the sanction of the Govt

× × × × × ×

4 9 1915

Sd/ K. Matthan
President

Extract

Secretary
Dept Commerce &

# Shrirampur Town Municipality

Draft Rules and Bye-laws framed by the Shrirampur Town Municipal Council, under sections 46 (a) & (b) (i) of the Bombay Municipal Regulation No VII of 1906

## Rules under Section 46 (a)

### Appointment and constitution of the Managing Committee and the delegation of powers and the Conduct of Business at the Meetings of the Committee

A Managing Committee composed of the Vice President and 4 elected members from among the Municipal Council shall be appointed by the Municipal Council for each official year and all powers of the Municipality connected with the ordinary administration other than those noted below may be exercised by the Managing Committee to such extent as may not be inconsistent with the Municipal Regulations

(a) Powers under sections 23, 27, 28, 29, 30, 31, 33(2), 36(1), 37, 39, 40(4), 46, 47, 48, 53(1), 57, 59, 71, 112(3), 141, 150, 153, the second part of 164 relating to suits on behalf of Municipal Council other than suits for amounts recoverable under Chapter VIII of the Regulation, 165 and 182

| Section | Subject matter |
|---|---|
| 23 | Powers to elect President and to give leave to the President and Vice President |
| 27 | Power to limit the powers of Managing Committee |
| 28 | Power to appoint School Committees |
| 29 | Power to appoint other Executive Committees and invest them with necessary powers, (provided that the Managing Committee shall have power to appoint a sub-Committee consisting of two or more of the members of the Managing Committee to inspect, supervise or oversee for any of the works undertaken by the Managing Committee or to examine accounts or records and make a report to the Managing Committee or for such other purpose as are within the cognizance of the Managing Committee) |

30 Power to appoint consultative Committees

31 Power to appoint persons other than Councillors to serve on Special Committees

33 (2) Power to appoint a Chairman for other Committees of which there is no ex-officio Chairman

36 (1) Power to give instructions to other Committees and call for reports and returns concerning the matters entrusted to them

37 Power to delegate certain Powers, duties and functions to officers

39 (a) Power to form joint Committees of two or more Municipalities or other local bodies

(b) Power to enter into an agreement with a Municipal Council regarding the levy of Octroi duty

40 (4) Power to sanction contracts for the purchase or sale of any moveable property, if the expenditure which the purchase of would involve, or the value of property to be sold as estimated by the Municipal Accounts exceeds Rs. 1000/-

46 Power to make, alter or rescind rules

47 Power to suspend reduce or abolish any existing tax

| | |
|---|---|
| 48 | Power to make Bye-laws |
| 53 (1) | Power to deposit or invest surplus funds |
| 57 | Power to cancel arrangements or promises purporting to be binding permanently or for a term of years |
| 59 | Power to impose taxes |
| 71 | Power to fix a special rate in lieu of water tax or special Sanitary cess and to compound tax on Vehicles and animals |
| 92 | Setting back projecting buildings |
| 93 | Setting forward to regular line of street |
| 94 | Buildings made of inflammable materials |
| 95 | Level of Buildings |
| 96 | Notice of new buildings, &c. |
| 97 | Regulation of huts |
| 98 | Improvement of huts |
| 112 (3) | Power to transfer the interest of the Municipal Council in pipes, fittings, receptacles, or other apparatus for or connected with the drainage of private buildings or lands to the owners of such buildings or lands |
| 141 | Power to establish slaughterhouses &c places for the disposal of carcasses of animals beyond the Municipal limits |

150 Power to recommend to Government the closing of Places for the disposal of the dead, if they are likely to become injurious to health

153 Power to apply to Government for the application of this section to the Municipality with a view to prevent the use of any house within its limits as a brothel

166 Power to sue the person who causes any injury to Municipal Property or rights

165 Power (1) to compromise in respect of any suit instituted by or against the Municipal Council or in respect of any claim or demand arising out of any contract entered into by them under the Regulation and (2) to make compensation out of the Municipal Fund to any person sustaining any damage by reason of the exercise of any of the powers vested in the Municipal Council, their officers and servants under the Regulation

182 Power to appoint Chief officer, Health officer or Engineer

(6) 1. Power to sanction plans and estimates for works involving an expenditure exceeding Rs 5000

2 Every delegation of the Municipal Council functions, powers or duties to the Committee, shall be deemed to be made subject to the general control of the Municipal Council

3 (1) If, at a meeting the quorum is not present, the meeting shall be adjourned to some other day not more than seven days distant and the business shall be transacted at the adjourned meeting

(2) If a quorum be present there—

(a) Every question at a meeting shall be determined by a majority of votes of the members present

(b) In the case of an equal division of the votes, the Chairman shall have a casting vote

4 The rules relating to the conduct of business at the General Municipal meetings shall mutatis mutandis apply to the Managing Committee Meetings

5 Any Member of the Managing Committee absent from three successive meetings of the Committee, except on the ground of ill-health or of his pregnancy, relating to the Managing Committee Verbally, or in writing, has reliably to attend for a definite period, such period not exceeding three months in any case, shall be recorded by the Managing Committee

ral three offices, to have vacated his seat on the Committee permanently for the year this place shall be filled by the Municipal Council as prescribed in Rule 1

6 The Managing Committee shall ordinarily meet once a fortnight, on a day and hour to be fixed by the said Committee for the transaction of business connected with the affairs of the Municipality

7 In special & emergent cases the Chairman may obtain orders of the Managing Committee by circulation of papers

8 A resolution once arrived at by the Managing Committee shall not be cancelled or altered at any subsequent meeting of the Managing Committee within the next three months

9 The minutes of the Managing Committee for each month shall be laid before the next ordinary General meeting of the Council for information

10 No works shall be undertaken or commenced by the Managing Committee without the previous sanction of the Municipal Council

11 The Chairman shall prepare an

abstract of the business to be transacted at each meeting of the Managing Committee and shall circulate to each member at least one day before the meeting No business other than that entered in the Chairman's abstract shall be disposed of at any meeting, except with the concurrence of at least three members present at such meeting

12. The minutes of the Managing Committee shall be circulated to the members of the Managing Committee at least one day before the next following meeting The minutes as submitted may, if necessary, be corrected at this meeting so as to make clear the sense of the original resolution

13 The President shall each year prepare a budget estimate of income and Expenditure for the official year following, for being placed before the Managing Committee - by the end of February The said Budget shall, in addition to the said estimate, show the income and expenditure of the year Previous, and of the preceding months of the current year with the Probable income and expenditure of the remaining months of that year based on the income and expenditure of the corresponding months

in the year previous and shall be in such form and details and accompanied by such report or explanation as the Managing Committee may from time to time direct

14 The said Budget with its accompaniments if any, shall be considered by the Managing Committee who may make such alterations in, or additions to it, as they may think fit, whereafter it shall be submitted to the Municipal Council not later than March and shall be considered by them at their General Meeting

15 It shall be the duty of the Chairman to keep English and Kannada records of the minutes of the Proceedings of the Managing Committee

16 The Managing Committee shall, at the close of each quarter or whenever it appears necessary to not less than three members thereof, inspect the books and cash and compare the balances entered in the Petrol book with the balances shown by the books of the Municipal

and certify its correctness by the signature of at least three of the members of the Managing Committee

17 Every member of the Managing Committee is entitled to peruse or inspect any paper or document or the records of the Municipality, provided that he does not make or take away copies of any Municipal record without the permission of the President.

18 The President may, at his discretion, take the initiative in bringing to the notice of the Managing Committee abuses, reforms, alterations and improvements, which he may deem deserving of consideration

19 Any member of the Managing Committee may bring to the notice of the Managing Committee any delay or irregularity in the disposal of work connected with the Municipality, and the Managing Committee shall then take such action as they may consider necessary in each case

20 It shall be at the discretion of the President to watch over the actions of the Committee and bring to its notice and, if necessary, to the notice of the Municipal Council

any instances in which they seem to have erred, neglected or delayed their functions and also to suspend pending a reference to the Municipal Council the operation of any order passed by the Committee which appears to him to be open to objection on law or on policy and when issuing such an order he shall place the matter before the Council within a period not exceeding 15 days.

## Rules under section 46(b)(i) of the Municipal Regulation

1 Powers and duties of the President

(a) The President shall exercise the powers conferred upon the Municipal Council in the following sections —

Keys have been under Rule 1

63, 64, 65, 66, 67, 76, 82, 83, 84, 99, 100, 101, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 118, 119, 120, 121, 122 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 134 135, 136, 137, 138, 142, 143, 144, 145, 147, 154, 156, 159, 161, and 164

| Sections | Subject matter |
|---|---|
| 63, 64, 65, 66 & 67 | Preparation of assessment list etc. |
| 76 | Powers re octroi and tolls |

| | |
|---|---|
| 82 and 83 | Issue of bills, notices and warrants for recovery of taxes |
| 84 | Sale and disposal of goods distrained |
| 99 | Municipal control over drains etc. |
| 100 | Powers for making drains |
| 101 | Damage of houses |
| 106 | Provision of Privies etc. |
| 107 | Cost of altering, repairing and keeping in proper order privies etc. |
| 108 | Power to close existing Private drains |
| 109 | Power in respect of sewers etc. unauthorizedly constructed relaid or unstopped |
| 110 | Encroachments on Municipal drains |
| 111 | Inspection of drains etc. |
| 112 | Execution of certain works under the Sub chapter IX (3) without allowing options to persons concerned of executing the same |
| 113 | Powers re Projections |
| 114 | Troughs and pipes for rain water |
| 115 | Fixing of brackets etc. to houses |

118 Removal and burning of hedges, trees etc.

119 Ruinous or dangerous buildings

120 Powers and duties with regard to dangerous, stagnant or unwholesome sources of water supply

121 Displacing pavements, etc

122 Obstructions and encroachments upon public streets and open spaces

123 Hoards to be set up during repairs etc

124 Fencing and lighting during repairs, etc

125 Earth not to be deposited or hole made in a street without permission

126 Dangerous quarrying

Powers for the prevention of the following nuisances —

127 Depositing dust etc

128 Discharging sewage, etc

129 Non-removal of filth, etc

130 Removal of night soil

131 (1) Filthy buildings etc

(2) Deserted and offensive buildings

132 Power to enter and inspect etc buildings

134 Fouling water

135 Abatement of nuisances

136 Using offensive manure, etc

137 (1) Tethering cattle, etc.
(2) Keeping swine

138 Consumption of smoke

142 Search for and inspection of unwholesome articles

143 False weights and measures

144 & 145 Powers for the Prevention of dangerous diseases

147 Powers for the prevention of diseases among horses, dogs, cattle sheep or goats

154 Sewage of workers

156 Execution of works by the Municipal Council, in default of owners or occupiers

159 Entry for purposes of the Regulation

161 Prosecutions

164 Suits

Provided that the President shall not act in opposition to, or in contravention of, any resolution or decision of the Council or any constituted Committee of the Council and provided also that the Municipal Council may exercise on motion by a member, powers of revision over any of the acts of the President

Notwithstanding anything contained

in Rule 1 of the rules relating to the powers of the Managing Committee, the President shall have power in cases of emergency to sanction and execute any work the expenditure on account of which does not exceed Rs 500/- and the President shall report the same to the Managing Committee at its next meeting

(b) The President shall have power to appoint, suspend, fine, reduce or dismiss any Municipal servant whose pay does not exceed Rs 40/- per month

(c) The President shall have power to sanction all Prosecutions for breach of any provision of the Municipal Regulation and the Bye-laws framed thereunder

## 2. Powers and duties of the Vice President

(a) The Vice President shall exercise such of the Powers and perform such of the duties conferred and imposed on the President of the Municipal Regulation as the President may from time to time delegate to him

(b) The Vice President shall

immediate charge of the Head office of the Municipality and the octroi and Mohalla establishments and shall superintend the Head offices and the work in these departments He shall assist the President in every matter connected with the business of the Council He shall attend the meetings of all Committees of the Council for which he has been appointed as a member

(c) He shall have power to appoint, suspend, fine, reduce or dismiss any Municipal Servant in the Mohalla, octroi and the Head office Establishments, whose pay does not exceed Rs 10/- per mensem subject to the approval of the President in the case of appointments above Rs 6

Martin
President
Shwebo Town Municipality

Dec 21
Returned to Engr

G R S 26]

SUBJECT Draft rules delegating powers to the Managing Committee, President & Vice President of the Shemoga M. C.

Diary No of letter replied to 1393

Section mc
File No 50-15
Serial No 9

General and Revenue Secretariat
( mc )
, the 191

No 4343 Conf.
mc 50-15-8
B/15-12-15.

Date of issue 15/12/15.

To The Deputy Commr., Shimoga

Signed by Mr G. Srinivasaiyer

Referring to the draft rules regarding the delegation of powers to the Managing Committee, President & Vice President of the Shemoga Town Municipal Council received with your letter No 69 dt 2.12.1915, I am directed to return the same with certain observations and to request you to be furnished further information on the following points. And to

mcm mic

No 22 / Mul 50-15-10 one

Office of the Deputy Commissioner,
Shimoga District.
Dated Shimoga the 19th January 1916.

From

K. Matthan, Esquire., B.A.,
Deputy Commissioner,
Shimoga District.

To

V.R.Thyagaraja Iyer, Esquire., M.A.,
Secretary to the Government of Mysore,
Revenue Department, B a n g a l o r e .

Sir,

With reference to your No. 4343/Ml. 50-15-8 dated 15th ultimo returning with certain observations the draft rules regarding the delegation of powers to the Managing Committee, the President, and the Vice President of the Shimoga Town Municipal Council and requesting to submit the same duly revised with additional information, I have the honour to state as follows -

1. The Municipal Council have deliberately adopted the wording given in the draft rules about the constitution of the Managing Committee as they were desirous of having the Vice President on the Managing Committee always, with 4 more members elected by the Municipal Council.

2. Referring to para II (1) of the letter under reply, the proviso was adopted from the rules in force in Mysore, which have been approved by the Government in their order No. 7502/Ml. 69-14-85 dated 28th March 1915 and which are published on page 1293 part II of the Mysore Gazette dated 25th June 1915 If the provios is considered superfluous it may be omitted.

3. Referring to para II (11) of your letter the limit of Rs 500/- is reduced to Rs 100/- in accordance with sub clause (4) of section 40 the Municipal Regulation.

From 21/1/16 15-16.

The Deputy Commissioner,
Shimo District.

To

The Secre to the Government
of Myso , Revenue Department
Bangalore.

Dated 19 January 1916.

Despatched 19

Received

General No 12
No

Enclosure o One.

With reference to your No. 4343/M1
50-15-8 dated 15t Ultimo, submits h
with duly revised he draft rules re
deligation of pow s to the Managing
Committee, the Pr ident, and the Vi
President, Shimog Town Municipal Co

--- --

GPB—50 000—26-9-12

4. As regards the powers under sections 92-98 of the Regulation the Municipal Council have the idea of constituting a separate committee called the Building Committee which will have delegated to it all those powers.

A copy of the draft rules received with your letter under reply is also submitted herewith.

I have the honour to be,
Sir,
Your most obedient servant,

Probationary Assistant Commissioner,
For Deputy Commissioner,
Shimoga District.
( Absent from Head Quarters.)

SHR.

28

Rules framed by the Shimoga Town Municipal Council for delegation of their powers to the Managing Committee

GRS 28]

File No 50–15
Serial No 14

Diary No of letter replied to 261

*Proceedings of the Government of His Highness the Maharaja of Mysore*

GENERAL AND REVENUE SECRETARIAT
( AC )

Encl

, the 191

READ— Correspondence ending with letter no 122 7 9 1 1916 from the Deputy Com^r, Shimoga Dt^a resubmitting for approval ~~with explanations~~ for approval, ~~the~~

Date of issue 28 2 16

Signed by Mr A V Ramanathan

~~ORDER THEREON—No~~
under the circumstances explained, the draft ~~bye laws~~ rules framed by the Shimoga Town Municipal Council in connection with the delegation of their powers to the

over

SUBJECT



GPB—50 000—1 12-12

29

~~the~~ managing Committee, to under
Section 46(a) & (b)(i) of the Bijapur
Municipal Regulation VII of 1906

---

Order No. 6349/M/50-15-14 dated 28.2.16
approved with the following
slight additions & alterations. —

(1) For the words "4 Elected members
occurring in the 2nd line of Rule 1
~~substituted~~ the words "4 other members
elected" ~~and~~ and also the words
~~"~~ from among the Municipal Councillors" are substituted
~~or Commissioners thereof~~ to satisfy
the requirements of Sec 27(1) of
the Regulation. (2) ~~Omit the~~
proviso against Section 29 under "Subject matter"
repugnancy Rule 1 is omitted as being superfluous

2 The Deputy Com^r is requested
to get the Rules as revised above,
printed and a dozen copies thereof
supplied to the Office for record

3 The Office draft of the Covering letter (Regd No 69 dated 29/2/16)
received with the letter under reference is returned herewith

Asst
for Secy to Govt, Rev Dept

To The Deputy Com^r Bijapur for info^n & with a Copy of
the Resolution & Regulation

Office Copy

S 1799

No.231. Office of the President,
Shimoga Town Municipality,
Dated the 4th December 1916.

21

A. Subramanya Iyer, Esquire, B.A.,
President, Shimoga Town Municipality.

L. Krishna Rao, Esquire,
Offg. Secretary to Government of His Highness the
Maharaja of Mysore, Revenue Department,
Bangalore

As desired in para 2 of Government Order No.6349 Ml -15-14 dated 28th February 1916 approving with certain additions and alterations the rules framed by the Municipal Council, Shimoga in connection with the delegation of their powers to the Managing Committee etc, under section (a) and (b) of the Mysore Municipal Regulation, I have the honor to submit herewith 12 printed copies of the as referred to.

I have the honor to be,
Sir,
Your most obedient servant,
For President,
Shimoga Town Municipality.

GPB—50 000— 17-9-15

1916. 6 DEC 1916

From

The President,

Shimoga Town Municipality.

To

The Secretary to Gov

Revenue Department,

Bangalore.

Dated

Despatched 5th December 1916.

Received

General No 231.

No

Enclosure No. 12 Copies.

---

Submits 12 printed copies of the rules regarding the delegation of powers to the Managing Committee

## SHIMOGA TOWN MUNICIPALITY

Rules framed by the Shimoga Town Municipal Council, under Sections 46 (*a*) and (*b*) (i) of the Mysore Municipal Regulation No VII of 1906, sanctioned in Government Order No 6349—MI 50-15 14, dated 28th February 1916

*Rules under Section 46 (a) appointment and constitution of the Managing Committee and the delegation of powers and the conduct of business at the meetings of the committee*

1 A Managing Committee composed of the Vice President and four other members elected from among the Municipal Councillors, shall be appointed by the Municipal Council for each official year and all powers of the Municipality connected with the ordinary administration other than those noted below may be exercised by the Managing Committee to such an extent as may not be inconsistant with the Municipal Regulation

(*a*) Powers under Sections 23, 27 28, 29, 30, 31, 33 (2), 36 (1), 37, 39 40 (4), 46, 47, 48, 53 (1), 57, 59, 71, 112 (3), 141, 150, 153, the second part of 164 relating to suits on behalf of Municipal Council other than suits for amounts recoverable under Chapter VIII of the Regulation 165 and 182

| *Sections* | *Subject matter* |
|---|---|
| 23 | Powers to elect President and to give leave to the President and Vice-President |
| 27 | Power to limit the powers of Managing Committee |
| 28 | Power to appoint School Committees |
| 29 | Power to appoint other Executive Committees and invest them with necessary powers |
| 30 | Power to appoint Consultative Committees |
| 31 | Power to appoint persons other than councillors to serve on Special Committees |
| 33 (2) | Power to appoint a Chairman for other Committees of which there is no *ex officio* Chairman |
| 36 (1) | Power to give instructions to other Committees and call for reports and returns concerning the matters entrusted to them |
| 37 | Power to delegate certain powers, duties and functions to officers |
| 39 | (*a*) Power to form Joint Committees of two or more Municipalities or other local bodies |
| 39 | (*b*) Power to enter into an agreement with a Municipal Council regarding the levy of octroi duty |
| 40 (4) | Power to sanction contracts for the purchase or sale of any moveable property if the expenditure which the purchase would involve, or the value of property to be sold as estimated in the Municipal Accounts exceeds Rs 100 |
| 46 | Power to make, alter or rescind rules |
| 47 | Power to suspend, reduce or abolish any existing tax |
| 48 | Power to make bye laws |
| 53 (1) | Power to deposit or invest surplus funds |
| 57 | Power to cancel arrangements or promises purporting to be binding permanently or for a term of years |
| 59 | Power to impose taxes |
| 71 | Power to fix a special rate in lieu of water tax or Special Sanitary cess and to compound tax on vehicles and animals |
| 92 | Setting back projecting buildings |
| 93 | Setting forward to regular line of streets |
| 94 | Buildings made of inflammable materials |
| 95 | Level of buildings |
| 96 | Notice of new buildings, etc |
| 97 | Regulation of huts |
| 98 | Improvement of huts |
| 112 (3) | Power to transfer the interest of the Municipal Council in pipes fittings, receptacles, or other appliances for or connected with the drainage of private buildings or lands to the owners of such buildings or lands |
| 141 | Power to establish slaughterhouses or places for the disposal of carcasses of animals beyond the Municipal limits |
| 150 | Power to recommend to Government the closing of places for the disposal of the dead if they are or likely to become injurious to health |
| 153 | Power to apply to Government for the application of this section to the Municipality with a view to permit the use of any house within its limits as a [illegible] |

| *Sections* | *Subject matter* |
|---|---|
| 164 | Power to sue the person who causes any injury to Municipal property or rights |
| 165 | Power (1) to compromise in respect of any suit instituted by or against the Municipal Council or in respect of any claim or demand arising out of any contract entered into by them under the Regulation and (2) to make compensation out of the Municipal Fund to any person sustaining any damage by reason of the exercise of any of the powers vested in the Municipal Council, their officers and servants under the Regulation |
| 182 | Power to appoint Chief Officer, Health Officer or Engineer |
| (*b*) | 1 Power to sanction plans and estimates for works involving on expenditure exceeding Rs 500 |
| | 2 Every delegation of the Municipal Council s functions, powers or duties to the Committee, shall be deemed to be made subject to the general control of the Municipal Council |
| | 3. (1) If at a meeting, the quorum is not present, the meeting shall be adjourned to some other day not more than seven days distant and the business shall be transacted at the adjourned meeting |
| | (2) If a quorum be present then — |
| | (i) Every question at the meeting shall be determined by a majority of votes of the members present |
| | (ii) In the case of an equal division of the votes, the Chairman shall have a casting vote |
| | 4 The rules relating to conduct of business at the general Municipal meetings shall *mutatis mutandis* apply to the Managing Committee Meetings |
| | 5 Any member of the Managing Committee absent from three successive meetings of the Committee, except on the ground of ill health or of his previously notifying to the Managing Committee verbally, or in writing, his inability to attend for a definite period, such period not exceeding three months in any case, shall be considered by the Managing Committee at their option to have vacated his seat on the Committee permanently for the year His place shall be filled by the Municipal Council as prescribed in Rule 1 |
| | 6 The Managing Committee shall ordinarily meet once a fortnight, on a day and hour to be fixed by the said Committee for the transaction of business connected with the affairs of the Municipality |
| | 7 In special or emergent cases, the Chairman may obtain orders of the Managing Committee by circulation of papers |
| | 8 A resolution once arrived at by the Managing Committee shall not be cancelled or altered at any subsequent meeting of the Managing Committee within the next three months |
| | 9 The minutes of the Managing Committee for each month shall be laid before the next Ordinary General Meeting of the council for information |
| | 10 No works shall be undertaken or commenced by the Managing Committee without the previous sanction of the Municipal Council |
| | 11 The Chairman shall prepare an abstract of the business to be transacted at each meeting of the Managing Committee and shall circulate to each member at least one day before the meeting No business other than that entered in the Chairman s abstract shall be disposed of at any meeting, except with the concurrence of at least three members present at such meeting |
| | 12 The minutes of the Managing Committee shall be circulated to the members of the Managing Committee at least one day before the next following meeting The minutes as submitted may, if necessary, be corrected at his meeting so as to make clear the sense of the original resolution |
| | 13 The President shall each year prepare a budget estimate of income and expenditure for the official year following for being placed before the Managing Committee by the end of February The said budget shall, in addition to the said estimate, show the income and expenditure of the year previous, and of the preceding months of the current year with the probable income and expenditure of the remaining months of that year based on the income and expenditure of the corresponding months in the year previous and shall be in such form and details and accompanied by such report or explanation as the Managing Committee may from time to time direct |
| | 14 The said budget with its accompaniments if any, shall be considered by the Managing Committee who may make such alterations in or additions to it, as they may think fit whereafter it shall be submitted to the Municipal Council not later than March and shall be considered by them at their General Meeting |

15 It shall be the duty of the chairman to keep English and Kannada records of the minutes of the Proceedings of the Managing Committee

16 The Managing Committee shall, at the close of each quarter or whenever it appears necessary to not less than three members thereof, inspect the books and cash and compare the balance entered in the Deposit book with the balance shown by the books of the Municipality and certify its correctness by the signature of at least three of the members of the Managing Committee

17 Every member of the Managing Committee is entitled to peruse or inspect any paper or document or the records of the Municipality, provided that he does not make or take away copies of any Municipal record without the permission of the President

18 The President may, at his discretion, take the initiative in bringing to the notice of the Managing Committee abuses, reforms, alterations and improvements, which he may deem deserving of consideration

19 Any member of the Managing Committee may bring to the notice of the Managing Committee any delay or irregularity in the disposal of work connected with the Municipality and the Managing Committee shall then take such action as they may consider necessary in each case

20 It shall be at the discretion of the President to watch over the action of the Committee and bring its notice and, if necessary, to the notice of the Municipal Council any instances in which they seem to have erred, neglected or delayed their functions and also to suspend pending a reference to the Municipal Council the operation of any order passed by the Committee, which appears to him to be open to objection in law or in policy, and when issuing such an order, he shall place the matter before the Council within a period not exceeding fifteen days

*Rules under Section 46* (b) (i) *of the Municipal Regulation*

1 Powers and duties of the President—

(*a*) The President shall exercise the powers conferred upon the Municipal Council in the following Sections —

63, 64, 65, 66, 67 76 82, 83, 84 99 100, 101, 106, 107, 108, 109 110, 111, 112, 113 114 115, 118, 119 120, 121, 122, 123, 124, 125, 126, 127, 128, 129 130 131, 132, 134, 135, 136, 137, 138, 142, 143, 144 145 147, 154, 156, 159, 161 and 164

| *Sections* | *Subject matter* |
|---|---|
| 63, 64 65, 66 & 67 | Preparation of assessment lists, etc |
| 76 | Powers *re* octroi and tolls |
| 82 & 83 | Issue of bills, notices and warrants for recovery of taxes |
| 84 | Sale and disposal of goods distrained |
| 99 | Municipal control over drains, etc |
| 100 | Powers for making drains |
| 101 | Drainage of houses |
| 106 | Provision of privies, etc |
| 107 | Cost of altering repairing and keeping in proper order privies etc |
| 108 | Power to close existing private drains |
| 109 | Power in respect of sewers, etc unauthorizedly constructed, rebuilt or unstopped |
| 110 | Encroachments on Municipal drains |
| 111 | Inspection of drains etc |
| 112 | Execution of certain works under the Sub Chapter IX (3) without allowing options to persons concerned of executing the same |
| 113 | Powers *re* projections |
| 114 | Troughs and pipes for rain water |
| 115 | Fixing of brackets etc , to houses |
| 118 | Removal and trimming of hedges, trees etc |
| 119 | Ruinous or dangerous buildings |
| 120 | Powers and duties with regard to dangerous, stagnant or insanitary sources of water supply |
| 121 | Displacing pavements etc |
| 122 | Obstructions and encroachments upon public streets and open spaces |
| 123 | Boards to be set up during repairs etc |
| 124 | Fencing and lighting during repairs, etc |
| 125 | Timber not to be deposited or hole made in a street without permission |
| 126 | Dangerous quarrying |

Powers for the prevention of the following nuisances —

| *Sections* | *Subject matter* |
|---|---|
| 127 | Depositing dust, etc |
| 128 | Discharging sewage, etc |
| 129 | Non-removal of filth, etc |
| 130 | Removal of night soil |
| 131 | (1) Filthy buildings, etc |
| | (2) Deserted and offensive buildings |
| 132 | Power to enter and inspect etc buildings |
| 134 | Fouling water |
| 135 | Abatement of nuisances |
| 136 | Using offensive manure, etc |
| 137 | (1) Tethering cattle, etc |
| | (2) Keeping swine |
| 138 | Consumption of smoke |
| 142 | Search for and inspection of unwholesome articles |
| 143 | False weights and measures |
| 144 & 145 | Powers for the prevention of dangerous diseases |
| 147 | Do diseases among horses, dogs, cattle, sheep or goats. |
| 154 | Service of notices |
| 156 | Execution of works by the Municipal Council, in default of owner or occupier |
| 159 | Entry for purposes of the Regulation |
| 161 | Prosecutions |
| 164 | Suits |

Provided that the President shall not act in opposition to, or in contravention of, any resolution or decision of the Council or any constituted Committee of the Council and provided also that the Municipal Council may exercise on motion by a member, powers of revision over any of the above acts of the President

Notwithstanding anything contained in Rule 1 of the rules relating to the powers of the Managing Committee the President shall have power in cases of emergency to sanction and execute any work, the expenditure on account of which does not exceed Rs 500 and the President shall report the same to the Managing Committee at its next meeting

(*b*) The President shall have power to appoint, suspend, fine, reduce or dismiss any Municipal servant whose pay does not exceed Rs 40 per month

(*c*) The President shall have power to sanction all prosecutions for breach of any provision of the Municipal Regulation and the Bye laws framed thereunder

*2 Powers and duties of the Vice President*

(*a*) The Vice President shall exercise such of the powers and perform such of the duties conferred and imposed on the President of the Municipal Regulation as the President may from time to time delegate to him

(*b*) The Vice President shall be in immediate charge of the Head Office of the Municipality and the Octroi and Mohatarfa establishments and shall superintend the Head Office and the work in these departments He shall assist the President in every matter connected with the business of the Council He shall attend the meetings of all Committees of the Council for which he has been appointed as a member

(*c*) He shall have power to appoint suspend, fine reduce or dismiss any Municipal servant in the Mohatarfa, Octroi and the Head Office establishments, whose pay does not exceed Rs 10 per mensem subject to the approval of the President, in the case of appointments above Rs 6

K MATTHAN,
*Deputy Commissioner*